ences like the one suggested and that the claims of all communities would have to be satisfied as far as possible.

At 5-10 p.m., the House rose for the day to meet again at 8 a.m., the next day.

SEVENTH DAY.

Tuesday, 6th June 1939.

The House reassembled at the Jagan Mohan Palace Pavilion, on Tuesday, 6th June 1939, at 8 of the clock, Mr. President (*Amin-ul-Mulk* Sir Mirza M. Ismail, K.C.I.E., O.B.E., Dewan) in the Chair.

QUESTIONS AND ANSWERS *concld.*

Night-Kavals.

Q.—24. **Mr. B DONDE GOWDA** (Hassan Taluk).—

Will the Government be pleased to state :—

(*a*) how many and in what villages of Hassan Taluk criminal cases have been launched for non-attendance of night-kaval (yearwar particulars for 1935-36, 1936-37 and 1937-38 may be furnished) ;

(*b*) the amount of fine levied and recovered (may be given yearwar) ;

(*c*) the dates on which each case was instituted, adjourned and final judgment pronounced ;

(*d*) the names of villages and the number of theft cases that night-kaval patrol people have found out and instituted ; if so instituted, in what court were they instituted and with what result (the particulars may kindly be furnished salwar for the years mentioned above) ?

A.—**The CHIEF SECRETARY to GOVERNMENT (Rajasevaprasaktha B. T. Kesavaiengar).**—

(*a*)—

Year	*No. of Criminal Cases*
1935-36	12
1936-37	132
1937-38	230

A list of villages is attached. (Appendix.)

(*b*)—

Year	*Fine levied*	*Fine recovered*
	Rs. a. p.	Rs. a. p.
1935-36 ...	8 0 0	8 0 0
1936-37 ...	72 8 0	72 8 0
1937-38 ...	121 2 0	121 2 0

(*c*) *Vide* statement attached. (Appendix.)

(*d*) Nil.

Mr. B. DONDE GOWDA.—Are the Government aware that the system of night-kaval has not been of much benefit to the raiyats ?

Mr. B. T. KESAVAIENGAR.—Yes.

Mr. B. DONDE GOWDA.—If so, will the Government be pleased to abolish the system as a lot of inconvenience is being caused to the raiyats by it ?

Mr. B. T KESAVAIENGAR.—In October 1937 when the subject was discussed, the Member in charge of the Portfolio stated that it was a time-honoured system, introduced not with a view to cause inconvenience to, the raiyats but to bring about unity among the rural population, to prevent the occurrence of crime in the villages and to save people from losses on account of fire accidents, etc. If, however, the persons responsible for the administration of any village panchayet give an undertaking to make other arrangements for serving the purposes referred to, Government might consider the question of abolishing the night-kaval system. But it will not be advisable to dispense with the system without at the same time devising a suitable substitute for it.

Mr. B. DONDE GOWDA.—It is seen from the answer that during the three

years 1935-36 to 1937-38, 374 cases were launched for non-performance of night-kaval duties in the Hassan Taluk and that the amount of fines levied amounted to Rs. 201-10-0. In the same answer, it is also stated that no cases were registered at all by the persons on night-kaval duty. Is it not clear from this that the system has been of no help to anybody but it is at the same time causing unnecessary hardship to the people?

Mr. B. T. KESAVAIENGAR.—The night-kaval system is not meant only to detect cases, but to trace bad characters, prevent accidents, etc. As the member is doubtless aware, this is not a new system, but a time-honoured system devised for the convenience of the villagers themselves.

Mr. B. DONDE GOWDA.—That may be so. But the difficulty is that in many instances, the raiyats have to attend to this work leaving their women alone at home, and to the detriment of their other work like harvesting, etc. Secondly, if anybody fails to attend to night-kaval duty, cases are launched against him, a number of adjournments are allowed and a lot of inconvenience is caused to the raiyat in that way. Again, the persons against whom the cases are launched are ultimately sentenced to pay heavy fines and they have also necessarily to incur other expenditure which they can ill afford. How are the raiyats benefited by all that?

Mr. B. T. KESAVAIENGAR.—It was stated on the last occasion when this subject was discussed that if the night-kaval system was to be abolished, either the Government should make some other arrangement or the villagers concerned must take upon themselves the responsibility for the prevention of crime and accidents. For Government themselves to undertake this duty, it would cost them Rs. 7 lakhs or 8 lakhs per annum. So, unless the villagers took upon themselves the responsibility referred to, it is desirable to continue the existing system. If any difficulties are experienced in particular cases, they should be set right. But it may not be advisable to dispense with the system straightway.

Mr. B. DONDE GOWDA.—If all the members of the House in one voice request that the system should be done away with, for the reason that the hardships resulting from it outweigh advantages if any, will the Government abolish it at least then?

Mr. B. T. KESAVAIENGAR.—It might be that in one particular taluk the number of cases registered is somewhat heavy. But that is no reason why the time-honoured system should be done away with in all cases.

Mr. B. SITHARAMIAH.—At least should not exemptions be given to old and infirm people and also to people who are the only male members of their families?

Mr. B. T. KESAVAIENGAR.—That point may be considered.

Mr. MAYI GOWDA.—The night-kaval system was introduced at a time when villagers were not sufficiently enlightened. But conditions have since changed considerably and people are now alive to their interests. In this view, the system has outlived its utility and requires to be suitably altered

Mr. B. T. KESAVAIENGAR.—We shall consider that aspect of the question.

Mr. B. SRINIVASA RAO.—At a time when we are agitating for larger powers and responsibilities, it is not right on our part to request the Government to relieve us of this small responsibility. The residents of each village ought to attend to night-kaval duty.

Mr. S. C. BELURIAH.—The practice at present is that the *thoti* of the village brings the watchman's staff in the night and leaves it in the house of the person whose turn it is to attend to the work that night. If the person fails to attend to that work for any reason, the village officers launch a case without considering any of the hardships already referred to by Mr. Donde Gowda. Will not such an automatic arrangement cause real trouble to the people?

Mr. B. T. KESAVAIENGAR.—Specific cases of hardship, if any, might be brought to the notice of the concerned authorities and possible relief secured. But exceptional cases should not be made the basis for urging that the

system itself should be done away with universally.

Mr. M. SUBBIAH.—Will the Government be good enough to abolish the system tentatively in one taluk and see whether it would result in any trouble?

Mr. B. T. KESAVAIENGAR.—Government will consider the suggestion. But I request hon. members to remember that the night-kaval system is intended for the safety of the villagers concerned and certainly not to cause irritation or inconvenience to them.

Mr. MIR MAHOMED HUSSEIN.—The system is of no practical benefit to anybody and should be done away with.

Mr. K. L. NANJAPPA NADIG.—Is there any age limit fixed with regard to the persons to be detailed for night-kaval duty?

Mr. B. T. KESAVAIENGAR.—No maximum limit is fixed. But the practice is that people who are above 60 years of age are not selected.

Mr. K. L. NANJAPPA NADIG.—Are the Government aware that some persons who were above 60 years of age were also selected and when they refused, cases were filed against them also?

Mr. B. T. KESAVAIENGAR.—Such cases might be taken to the notice of the Deputy Commissioner.

Mr. K. L. NANJAPPA NADIG.—Will the Government consider the advisability of fixing a maximum age limit for this purpose?

Mr. B. T. KESAVAIENGAR.—Yes.

Mr. S. RAMAPPA.—How is it that cases have been launched in 50 per cent of the villages in one taluk alone?

Mr. B. T. KESAVAIENGAR.—That may be due either to vigilance on the part of the patels concerned, or to slackness on the part of the people.

Mr. S. RAMAPPA.—Compared to the other taluks, is not the number of cases registered in Hassan Taluk very much larger?

Mr. B. T. KESAVAIENGAR.—Yes.

Mr. S. RAMAPPA.—Are the Government aware that this system is being used by the patels as a weapon with which to wreak their vengeance on persons whom they do not like? If so, is it not an abuse of their powers?

Mr. B. T. KESAVAIENGAR.—I do not think the position is so bad as that. If a case is registered and not proved, the party is let off. The person charged is fined only if the case is proved. Superior officers can find out whether cases are filed for valid reasons or not.

Mr. S. RAMAPPA.—Even if a case is filed for valid reasons, is it not advisable to warn the party once or twice instead of fining him even on the very first occasion?

Mr. B. T. KESAVAIENGAR.—Government will consider that suggestion.

Mr. Y. V. MUNISWAMI IYER.—As night-kaval is intended for the purpose of preventing thefts and protecting properties of the villagers, it should not be discontinued. The patels take action only against persons who do not discharge their duty and not against anybody and everybody.

Feeder Channel from Sathehalla to Konanur Tank.

Q.—27. Mr. K. VENKATARAMIAH (Arkalgud Taluk).—

Will the Government be pleased to state:—

(*a*) whether survey operations have been completed and estimate prepared for a feeder channel from Satehalla for the supply of water to Konanur major tank in Arkalgud taluk;

(*b*) the amount of the estimate;

(*c*) the amount of contribution out of this which is fixed by Government to be paid by raiyats;

(*d*) whether they are aware that raiyats have become poor owing to the lands below the tank lying fallow?

A.—The SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Diwan Bahadur N. N. Ayyangar).—

(*a*) Yes.

(*b*) Rs. 1,40,000.

(*c*) Rs. 42,825 at Rs. 100 and Rs. 150 per acre of wet and dry lands, respectively, has been agreed to be paid by the raiyats.

(*d*) The answer is in the negative.